

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL) MDL NO. 1456
INDUSTRY AVERAGE WHOLESALE) CIVIL ACTION
PRICE LITIGATION) 01-CV-12257-PBS
THIS DOCUMENT RELATES TO)
U.S. ex rel. Ven-a-Care of) Judge Patti B.
the Florida Keys, Inc.) Saris
v.) Chief Magistrate
Abbott Laboratories, Inc.,) Judge Marianne B.
No. 06-CV-11337-PBS) Bowler
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(captions continue on following pages)

Videotaped deposition of Kathleen Buto

Volume I

Washington, D.C.

Wednesday, September 12, 2007

9:00 a.m.

1 **payment methodologies.**

2 Q. When you were at the government and
3 before you left HCFA in 2000 had you ever
4 received a direction to retain documents relating
5 to Medicare and Medicaid reimbursement of drugs?

6 A. I don't remember that, but we had a
7 whole document office so all of our official
8 records were kept by -- I had my own executive
9 secretariat within the bureau. And usually I
10 would just refer any document issues to that
11 organization and they would take responsibility
12 for collecting up all of the relevant documents.

13 So I personally -- that's the kind of
14 thing you would usually delegate in government to
15 the documents people. So, you know, the process
16 might be we get a direction and that immediately
17 goes to the document people and we might be
18 copied on it. But that's the way it's usually
19 handled. So -- at least it was back then. I
20 don't know what's done now.

21 Routinely, as I said, we were in
22 litigation. So there was a lot of this document

1 collection going on. And beyond that the Freedom
2 of Information Act, lots of requests for
3 documents. Again, that's why we had these
4 document organizations whose business it was to
5 keep those or official records and make sure they
6 were made available.

7 Q. When you say official records what do
8 you mean by that?

9 A. Any records of decision-making and, you
10 know, things that are sent out, drafts of
11 regulations, you know, the whole stream of
12 documents that are produced.

13 Q. This wouldn't include all the documents
14 that you would have written, would it?

15 A. Yes, it typically would.

16 Q. In your position?

17 A. Yeah, because they would come to my
18 office and have my -- I had a couple of special
19 assistants do the same thing -- make sure that
20 all our documents were produced. Yeah.

21 Q. And you did not use e-mail during your
22 time?